

Commissioners of St. Mary's County Meeting Minutes (Tuesday, November 16, 2021)
Generated by Julie Burch on Wednesday, November 17, 2021

Members present

Commissioner President James R. Guy
Commissioner Eric Colvin
Commissioner Michael L. Hewitt
Commissioner Todd B. Morgan
Commissioner John E. O'Connor (Via Zoom)
Dr. Rebecca Bridgett, County Administrator
ALisa Casas, Communications Director, Public Information Office

1. RECEPTION FOR CITIZENS ACADEMY PARTICIPANTS

Prior to the start of the business meeting, the Commissioners hosted a reception for the Citizens Academy Participants.

2. WELCOME

Commissioner President Guy called the business meeting of the Commissioners of St. Mary's County to order at 9:03 a.m. in the Chesapeake Building Meeting Room, Governmental Center.

Approval of Consent Agenda

I move to approve the Consent Agenda, which includes the Minutes of November 2, 2021, as presented.

Motion by Commissioner Eric Colvin, second by Commissioner Michael L. Hewitt.

Final Resolution: Motion Carries

Yea: Commissioners Guy, Colvin, Hewitt, Morgan, O'Connor

3. RECOGNITION

A. CITIZENS ACADEMY RECOGNITION

Commendations were presented to the following individuals for completing the 2021 St. Mary's County Citizens Academy: Dagmar Blackwell, Catherine Buckler, Judith Guy, Tricia Herr, Robin Johnson, Kayla Beth Lankford, Diana Little, Thea Newton, Brandon Russell, Roosevelt White, and Stewart Witt. Unable to attend: Joie Samuelson, Madison Anderson, Nancy Knight, Julie Slade, Sieva Smith, Ruth Bowers, Jason Glenn, Linda Thomas, Nicole Thompson, and Susie Vacek

4. PUBLIC HEARING

A. DEPARTMENT OF LAND USE AND GROWTH MANAGEMENT - Public Hearing -
Repeal and reenact the St. Mary's County Electrical Codes Ordinance

Present: William B. Hunt, Director
Harry Knight, Deputy Director

Commissioner President Guy opened the public hearing at 9:15 a.m.

Notice of the Public Hearing was published in the *Southern Maryland News* on October 29, 2021, and November 5, 2021. This public hearing was for the purpose of receiving public comment for the amendment to the Electrical Codes Ordinance to establish regulations for the issuance of licenses and registrations to provide electrical services and to adopt regulations to govern the issuance of permits to homeowners. The requested change is due to Senate Bill 762 which was passed during 2021 Regular Session of the Maryland General Assembly and signed by Governor Hogan into law.

Commissioner President Guy requested Dr. Bridgett provide the format for the public hearing and open the hearing for public comment.

Public Comments given by:

Brenda Sonjy, 40895 Lark Way, Leonardtown, MD

Dr. Bridgett closed the public hearing for public comment and noted that the record would remain open for public comment for an additional seven days. Commissioner President Guy closed the public hearing at approximately 9:24 a.m.

5. PROCLAMATIONS

Proclamations were presented for:

- A. Giving Tuesday
- B. Great American Smokeout

6. MAIN AGENDA ITEM

A. DEPARTMENT OF LAND USE AND GROWTH MANAGEMENT - Request for Public Hearing - Amend the Comprehensive Zoning Ordinance for Agricultural Alcoholic Beverage Production and Alcohol Beverage Production and to delete the current uses of Distillery, Winery, and Farm Brewery

I move that the Department of Land Use and Growth Management be authorized to schedule a morning public hearing for the proposed ordinance for Agricultural Alcoholic Beverage Production and Alcoholic Beverage Production, including the deletion of the current uses of Distillery, Winery, and Farm Brewery.

Motion by Commissioner Todd B. Morgan, second by Commissioner Eric Colvin.

Final Resolution: Motion Carries

Yea: Commissioners Guy, Colvin, Hewitt, Morgan, O'Connor

MOTION TO ADJOURN AS COMMISSIONERS OF ST. MARY'S COUNTY

I move to adjourn as the Commissioners of St. Mary's County and reconvene as the St. Mary's County Board of Health.

Motion by Commissioner Eric Colvin, second by Commissioner Todd B. Morgan.

Final Resolution: Motion Carries

Yea: Commissioners Guy, Colvin, Morgan, O'Connor

7. ST. MARY'S COUNTY BOARD OF HEALTH

A. BOARD OF HEALTH

Present: Dr. Meenakshi Brewster, Health Officer

Dr. Brewster discussed COVID-19 statistics and vaccinations updates, including the newly approved vaccines for children ages 5-11.

MOTION TO ADJOURN AS THE ST. MARY'S COUNTY BOARD OF HEALTH

I move to adjourn as the St. Mary's County Board of Health and reconvene as the Commissioners of St. Mary's County.

Motion by Commissioner Eric Colvin, second by Commissioner Michael L. Hewitt.

Final Resolution: Motion Carries

Yea: Commissioners Guy, Colvin, Morgan, O'Connor

8. COUNTY ADMINISTRATOR

A. DRAFT AGENDAS FOR NOVEMBER 30 AND DECEMBER 7, 2021. There will be no meeting of the Commissioners on November 23, 2021.

B. SHERIFF'S OFFICE - (GOCPYVS) FY2023 State Aid for Police Protection (SAPP)
Application - Part I

I move to approve the grant submission for the FY2023 State Aid for Police Protection (SAPP) program, project MD2330, from the Governor's Office of Crime Prevention, Youth, and Victim Services, and authorize the Commissioner President and Sheriff to execute the related documents and staff to submit electronically.

Motion by Commissioner Michael L. Hewitt, second by Commissioner Eric Colvin.
Final Resolution: Motion Carries
Yea: Commissioners Guy, Colvin, Hewitt, Morgan, O'Connor

C. COUNTY ADMINISTRATOR - YMCA - Concept Plan

I move to approve the YMCA site selection, concept plan and to adjust Project RP-2004 to reflect the results of the feasibility study and authorize the Commissioner President to sign any related documents.

Motion by Commissioner Michael L. Hewitt, second NONE.
Motion failed

Postponed to a future date.

D. RECREATION AND PARKS - Program Open Space - Infrastructure Grant Award

I move to approve and accept the Program Open Space, Local Parks and Playgrounds Infrastructure Grant Award in the Amount of \$1,309,000 and authorize the Commissioner President to sign the related documents.

Motion by Commissioner Michael L. Hewitt, second by Commissioner Todd B. Morgan.
Final Resolution: Motion Carries
Yea: Commissioners Guy, Colvin, Hewitt, Morgan, O'Connor

E. DEPARTMENT OF EMERGENCY SERVICES - FFY2021 State Homeland Security Grant

I move to approve the FFY2021 Sub-Recipient Agreement for the State Homeland Security Grant, Project US2220, from the Department of Homeland Security on behalf of Emergency Services Department in the amount of \$104,238, and authorize the Commissioner President to execute the related documents.

Motion by Commissioner Eric Colvin, second by Commissioner Todd B. Morgan.
Final Resolution: Motion Carries
Yea: Commissioners Guy, Colvin, Hewitt, Morgan, O'Connor

F. DEPARTMENT OF EMERGENCY SERVICES - FFY2021 Emergency Management Performance Grant - American Rescue Plan Act Acceptance

I move to approve the FFY2021 Emergency Management Performance Grant - American Rescue Plan Act Grant (US2240) from the Department of Homeland Security on behalf of the Emergency Services Department in the amount of \$25,993 to fund the Hazard Mitigation Plan Update and to authorize the Commissioner President to execute the related documents.

Motion by Commissioner Todd B. Morgan, second by Commissioner Michael L. Hewitt.
Final Resolution: Motion Carries
Yea: Commissioners Guy, Colvin, Hewitt, Morgan, O'Connor

G. DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION - FDR Boulevard Phase 3 - Kody Holdings (L.P. Ford) Property Acquisition: Exercise of Option Contract and Railroad Right-of-Way Easement Agreement

I move to approve the Exercise of Option Contract and Railroad Right-of-Way Easement Agreement with Kody Holdings and the Commissioners of St. Mary's County and authorize the Commissioner President to sign the related documents.

Motion by Commissioner Todd B. Morgan, second by Commissioner Eric Colvin.
Final Resolution: Motion Carries
Yea: Commissioners Guy, Colvin, Hewitt, Morgan, O'Connor

H. DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION - St. Mary's Transit System Public Transportation Agency Safety Plan

I move to approve the Public Transportation Agency Safety Plan and authorize the Commissioner President to sign all related documents.

Motion by Commissioner Eric Colvin, second by Commissioner Todd B. Morgan.
Final Resolution: Motion Carries
Yea: Commissioners Guy, Colvin, Hewitt, Morgan, O'Connor

I. DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION - St Mary's Transit FY22 Grant Award

I move to approve the FY2022 Maryland Department of Transportation/Maryland Transit Administration (MDOT/MTA) operating grant agreement for the St. Mary's Transit System (STS) Operating program in the amount of \$2,708,340; authorize the DPW&T Director to submit the Grant Agreement electronically; approve the related budget amendments to realign Federal, State and Local funding; and authorize the Commissioner President to execute the related documents.

Motion by Commissioner Michael L. Hewitt, second by Commissioner Eric Colvin.
Final Resolution: Motion Carries

Yea: Commissioners Guy, Colvin, Hewitt, Morgan, O'Connor

J. DEPARTMENT OF PUBLIC WORKS AND TRANSPORTATION - Facility Naming and Dedication Policy Update

I move to rename the facility formerly known as the Garvey Senior Activity Center to the "The Aging and Human Services Building"; and name the new facility the "St. Mary's County Animal Adoption and Resource Center" with the Animal Control Section of the new facility be named after Antonio "Tony" Malaspina as recommended by the Animal Control Advisory Board; and authorize the Commissioner President to sign any related documents.

Motion by Commissioner Todd B. Morgan, second by Commissioner Eric Colvin.

Final Resolution: Motion Carries

Yea: Commissioners Guy, Colvin, Hewitt, Morgan, O'Connor

K. DEPARTMENT OF AGING & HUMAN SERVICES - FY2022 Senior Care Grant Application

I move to approve the Senior Care grant application, Project #MD2203 from the Maryland Department of Aging on behalf of the Department of Aging & Human Services in the amount of \$126,106 to provide assistance to the seniors of St. Mary's County and authorize the Commissioner President to execute the related documents.

Motion by Commissioner Michael L. Hewitt, second by Commissioner Eric Colvin.

Final Resolution: Motion Carries

Yea: Commissioners Guy, Colvin, Hewitt, Morgan, O'Connor

L. DEPARTMENT OF AGING & HUMAN SERVICES - FY2022 Senior Rides, Project MD2205 Notification of Grant Award

I move to approve the Senior Rides Operating Grant Agreement, Project #MD2205, from the Maryland Department of Transportation: Maryland Transit Administration on behalf of the St. Mary's County Department of Aging & Human Services in the amount of \$35,652, which includes other revenue and county funding, to coordinate door-to-door transportation for low and moderate income seniors who are unable to utilize other transportation options and authorize the Commissioner President to execute the related documents.

Motion by Commissioner Eric Colvin, second by Commissioner Todd B. Morgan.

Final Resolution: Motion Carries

Yea: Commissioners Guy, Colvin, Hewitt, Morgan, O'Connor

M. DEPARTMENT OF ECONOMIC DEVELOPMENT - Lease Agreement with Home Grown Market LLC

I move to enter into a lease agreement with the Home Grown Farm Market LLC to manage the Home Grown Farm Market for a period of five years and have the Commissioner President sign all related documents.

Motion by Commissioner Michael L. Hewitt, second by Commissioner Eric Colvin.

Final Resolution: Motion Carries

Yea: Commissioners Guy, Colvin, Hewitt, Morgan, O'Connor

N. DEPARTMENT OF FINANCE - Award Recommendation for Solid Waste Transportation & Disposal

I move to authorize the Procurement Officer to award the Solid Waste Transportation & Disposal Contract to Lucky Dog LLC for an amount estimated to exceed \$1 million dollars, subject to the receipt and acceptance of contract related documents.

Motion by Commissioner Eric Colvin, second by Commissioner Todd B. Morgan.

Final Resolution: Motion Carries

Yea: Commissioners Guy, Colvin, Hewitt, Morgan, O'Connor

O. OFFICE OF THE COUNTY ATTORNEY - Disposition of Criminal Money Forfeiture

I move to approve the transfer of \$5,743.00 to the Leonardtown Lions Club from the total of \$135,572.00 that was seized by the St. Mary's County Sheriff's Office and authorize the Commissioner President to sign the related documents.

Motion by Commissioner Michael L. Hewitt, second by Commissioner Eric Colvin.

Final Resolution: Motion Carries

Yea: Commissioners Guy, Colvin, Hewitt, Morgan, O'Connor

9. COMMISSIONERS' TIME

The Commissioners highlighted events attended over the past week and provided general comments.

10. MEMORIAL CEREMONY - DALE SMITH

The Commissioners presented a proclamation to the family of Dale Smith to honor his time of service to the county, followed by the unveiling of a plaque in his honor on the Remembrance Wall in the lobby.

MOTION TO ENTER INTO CLOSED SESSION

I move to enter into Closed Session to discuss Personnel, Legal Advice and Litigation

Motion by Commissioner Eric Colvin, second by Commissioner Todd B. Morgan.
Final Resolution: Motion Carries
Yea: Commissioners Guy, Colvin, Hewitt, Morgan, O'Connor

11. CLOSED SESSION

A. PERSONNEL

Present: James R. Guy, President
Eric Colvin, Commissioner
Michael L. Hewitt, Commissioner
Todd B. Morgan, Commissioner
John E. O'Connor, Commissioner
Dr. Rebecca Bridgett, County Administrator
Catherine Pratson, Director, Dept. of Human Resources
Sharon Ferris, Recorder

Authority: §9-512(a)(1) of the *Local Government* Article of the Annotated Code of Maryland
Time Held: 1:12 p.m. - 1:14 p.m.
Location: Commissioners Meeting Room
Purpose: To consider or discuss the assignment, promotion, resignation, salary, demotion, dismissal, reprimand, or appointment of a member of a public agency or employee.

B. PERSONNEL

Present: James R. Guy, President
Eric Colvin, Commissioner
Michael L. Hewitt, Commissioner
Todd B. Morgan, Commissioner
Dr. Rebecca Bridgett, County Administrator
Catherine Pratson, Director, Dept. of Human Resources
David Weiskopf, County Attorney
Steve Walker, Director, Dept of Emergency Services
Sharon Ferris, Recorder

Authority: §9-512(a)(1) of the *Local Government* Article of the Annotated Code of Maryland
Time Held: 1:15 p.m. - 1:20 p.m.
Location: Commissioners Meeting Room
Purpose: To consider or discuss the assignment, promotion, resignation, salary, demotion, dismissal, reprimand, or appointment of a member of a public agency or employee.

C. LEGAL ADVICE

Present: James R. Guy, President
Eric Colvin, Commissioner

Michael L. Hewitt, Commissioner
Todd B. Morgan, Commissioner
Dr. Rebecca Bridgett, County Administrator
David Weiskopf, County Attorney
Bob Kelly, Director, Dept. of Information Technology
Sharon Ferris, Recorder

Authority: §9-512(a)(12) of the *Local Government* Article of the Annotated Code of Maryland
Time Held: 1:21 p.m. - 2:00 p.m.
Location: Commissioners Meeting Room
Purpose: To obtain legal advice.

D. LITIGATION

Present: James R. Guy, President
Eric Colvin, Commissioner
Michael L. Hewitt, Commissioner
Todd B. Morgan, Commissioner
Dr. Rebecca Bridgett, County Administrator
David Weiskopf, County Attorney
Sharon Ferris, Recorder

Authority: §9-512(a)(2) of the *Local Government* Article of the Annotated Code of Maryland
Time Held: 2:01 p.m.- 2:17 p.m.
Location: Commissioners Meeting Room
Purpose: To discuss status of cases in litigation.

E. LITIGATION

Present: James R. Guy, President
Eric Colvin, Commissioner
Michael L. Hewitt, Commissioner
Todd B. Morgan, Commissioner
Dr. Rebecca Bridgett, County Administrator
David Weiskopf, County Attorney
Sharon Ferris, Recorder

Authority: §9-512(a)(2) of the *Local Government* Article of the Annotated Code of Maryland
Time Held: 2:17 p.m. - 2:28 p.m.
Location: Commissioners Meeting Room
Purpose: To discuss strategy for potential litigation.

MOTION IN OPEN SESSION

I move to approve the Coordinator II salary for Circuit Court, as requested.

Motion by Commissioner Todd B. Morgan, second by Commissioner Colvin.
Final Resolution: Motion Carries
Yea: Commissioners Guy, Colvin, Hewitt, Morgan
Not Present at Vote: Commissioner O'Connor

12. ADJOURN

The meeting adjourned at approximately 2:30 p.m.

Minutes approved by the Commissioners of St. Mary's County on November 30, 2021

JB
Julie Burch, Senior Admin Coordinator